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ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

Extract from the report of the Commission on Human Rights on its forty-eighth session**

In its decision 1992/117 (see E/1992/37), the Commission on Human Rights, bearing in mind that the mandates of working groups and special rapporteurs/representatives extended or established by the Commission at its forty-eighth session have to be specifically approved by the Economic and Social Council, decided to request the Council to bring forward as much as possible its consideration of draft decisions emanating from the Commission at that session and relating to mandates which require the approval of the Council. The attached draft resolutions and decisions were identified by the Centre for Human Rights of the United Nations Office at Geneva as those pertaining to the decision and are made available to the members of the Council at the request of the Bureau.

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* E/1992/36.

** Unedited text. The report of the Commission on Human Rights will be issued as Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22).

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I. DRAFT RESOLUTIONS AND DECISIONS RECOMMENDED FOR ADOPTION BY THE ECONOMIC AND SOCIAL COUNCIL

A. Draft resolutions

I. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa

The Economic and Social Council,

Recalling its resolution 1991/26 of 31 May 1991,

Recalling also General Assembly resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986, 43/92 of 8 December 1988 and 45/84 of 14 December 1990,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Ahmed Khalifa, for his updated report (E/CN.4/Sub.2/1991/13 and Add.1);

2. Expresses its thanks to all Governments and organizations which supplied the Special Rapporteur with information;

3. Decides to invite the Special Rapporteur:

(a) To continue to update the list of banks, transnational corporations and other organizations assisting the racist regime of South Africa, giving such details regarding enterprises listed as he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report through the Sub-Commission to the Commission on Human Rights;

(b) To use all available material from other United Nations organs, Member States, national liberation movements recognized by the Organization of African Unity, specialized agencies, other intergovernmental and non-governmental organizations and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist regime of South Africa;

(c) To intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid of the Secretariat with a view to consolidating mutual cooperation in updating his report;

4. Calls upon all Governments:

(a) To cooperate with the Special Rapporteur in making the report even more accurate and informative;

(b) To disseminate the updated report and give its contents the widest possible publicity;

5. Also calls upon all Governments and organizations to maintain sanctions against the regime of South Africa until the total dismantlement of

the apartheid system, in conformity with the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly in its resolution S-16/1 of 14 December 1989;

6. Invites the Sub-Commission at its forty-fourth session and the Commission on Human Rights at its forty-ninth session to consider the updated report;

7. Requests the Secretary-General, in accordance with General Assembly resolution 45/84, to make two economists available to the Special Rapporteur to help him develop his analysis and documentation on specific cases of special importance;

8. Also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate with a view to intensifying direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid of the Secretariat and to consolidating mutual cooperation in updating his report;

9. Further requests the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continue to deal with the regime of South Africa and to call upon them to provide the Special Rapporteur with any information or comments they may wish to submit on the matter;

10. Requests the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to visit South Africa on a special mission for the purpose of the next updating of his report;

11. Invites the Secretary-General to continue to give the updated report of the Special Rapporteur the widest possible distribution and publicity as a United Nations publication.

[See chap. II, sect. A, resolution 1992/71, and chap. VI.]

II. Rights of persons belonging to national, ethnic, religious and linguistic minorities

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/16 of 21 February 1992, in which the Commission approved the text of the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities (E/CN.4/1992/48 and Corr.1, annex I),

Aware that persons belonging to minorities may also enjoy under international or domestic law other rights than those set forth in the draft declaration,

Recognizing that there is a continuing need to develop international protection in this area,

Believing that the principles and rights as set forth in the draft declaration involve matters of common interest,

Approves the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities and recommends it to the General Assembly for adoption and further action.

[See chap. II, sect. A, resolution 1992/16, and chap. XVIII.]

III. Declaration on the protection of all persons from enforced disappearance

The Economic and Social Council,

Recalling Commission on Human Rights decision 1986/106 of 13 March 1986, by which the Commission invited the Sub-Commission on Prevention of Discrimination and Protection of Minorities to reconsider the question of a declaration against unacknowledged detention of persons,

Recalling also its resolution 1991/27 of 31 May 1991, whereby it authorized an open-ended working group of the Commission on Human Rights to consider the draft declaration on the protection of all persons from enforced or involuntary disappearances prepared by the Sub-Commission,

Expressing its appreciation to the Commission on Human Rights for finalizing the draft declaration,

1. Decides to submit the report of the Working Group on the Declaration on the protection of all persons from enforced disappearance of the Commission on Human Rights (E/CN.4/1992/19/Rev.1) and the draft declaration to the General Assembly for consideration, with a view to the adoption of the declaration by the Assembly at its forty-seventh session;

2. Recommends that, after adoption by the General Assembly, the full text of the Declaration on the protection of all persons from enforced disappearance should be disseminated as widely as possible.

[See chap. II, sect. A, resolution 1992/29, and chap. X.]

IV. Question of a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/43 of 3 March 1992,

1. Authorizes the establishment of an open-ended inter-sessional working group in order to elaborate a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, using as a basis for its discussion the draft text proposed by the Government of Costa Rica on 22 January 1991 (see E/CN.4/1991/66), which will meet for a

period of two weeks prior to the forty-ninth session of the Commission on Human Rights;

2. Requests the Secretary-General to extend all the necessary facilities to the working group to enable it to meet prior to the forty-ninth session of the Commission on Human Rights.

[See chap. II, sect. A, resolution 1992/43, and chap. X.]

V. Human rights and youth

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/49 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/20 of 28 August 1991,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Dumitru Mazilu, for his progress report (E/CN.4/Sub.2/1991/42);

2. Expresses its thanks to all Governments and non-governmental organizations that supplied the Special Rapporteur with relevant information;

3. Decides to invite the Special Rapporteur to update his report in the light of the suggestions made at the forty-third session of the Sub-Commission, giving special attention to the problems of underdevelopment, unemployment, the right to conscientious objection to military service and children in prison throughout the world;

4. Invites the Special Rapporteur to consult governmental and non-governmental organizations in order to elaborate further and to complete his work with a view to submitting his final report to the Sub-Commission at its forty-fourth session;

5. Requests the Secretary-General to continue to gather and supply to the Special Rapporteur information and data relating to his study and to provide him with all the assistance he may need to complete his report, including consultations at the Centre for Human Rights, in order that he may submit his final report to the Sub-Commission at its forty-fourth session.

[See chap. II, sect. A, resolution 1992/49, and chap. XVII.]

VI. Implementation of the Convention on the Rights of the Child

The Economic and Social Council,

Recalling General Assembly resolution 46/112 of 17 December 1991 and Commission on Human Rights resolution 1992/75 of 5 March 1992,

Concerned about the workload of the Committee on the Rights of the Child and the risk of building up an undesirable backlog in the consideration of States parties' reports,

1. Recalls that the General Assembly, in its resolution 46/112, supported the organization of the future work of the Committee on the basis of two sessions per year, each of two or three weeks duration, and the establishment of a pre-sessional working group for a preliminary review of reports from States parties;

2. Welcomes the decision of the General Assembly in its resolution 46/112 to take appropriate action, at its forty-seventh session, on the recommendations of the Committee on the Rights of the Child;

3. Requests the Secretary-General to make the necessary resources available, within the overall existing budget framework, to enable the Working Group of the Whole of the Committee on the Rights of the Child to meet in 1992 subsequent to the second session of the Committee.

[See chap. II, sect. A, resolution 1992/75, and chap. XXII.]

VII. Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/82 of 5 March 1992,

1. Authorizes an open-ended working group of the Commission on Human Rights to meet for a period of two weeks prior to the forty-ninth session of the Commission, with a view to completing at that time the second reading of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms and to submitting the text to the Commission at its forty-ninth session for adoption;

2. Requests the Secretary-General to extend all necessary facilities to the working group for its meetings.

[See chap. II, sect. A, resolution 1992/82, and chap. XXI.]

B. Draft decisions

1. Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/6 of 21 February 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, and also approves the Commission's request to the Special Rapporteur to report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/6, and chap. IX.]

2. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/17 of 21 February 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur to enable him to report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/17, and chap. XX.]

3. Question of enforced or involuntary disappearances

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/30 of 28 February 1992, approves the Commission's decision to extend for three years the mandate of the Working Group on Enforced or Involuntary Disappearances as defined in Commission resolution 20 (XXXVI), and also approves the Commission's request to the Secretary-General to ensure that the Working Group receives all necessary assistance, in particular the staff and resources it requires to perform its functions, especially in carrying out missions, following them up and holding sessions in countries that would be prepared to receive it.

[See chap. II, sect. A, resolution 1992/30, and chap. X.]

4. Torture and other cruel, inhuman or degrading treatment or punishment

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/32 of 28 February 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur to cover all of his activities in order to enable him to submit his report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/32, and chap. X.]

5. Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/33 of 28 February 1992, approves the endorsement by the Commission of the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust the Special Rapporteur with the preparation of a further report on strengthening the independence of the judiciary and the legal profession, as described in Sub-Commission resolution 1991/35 of 29 August 1991, and also approves the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the completion of his task.

[See chap. II, sect. A, resolution 1992/33, and chap. X.]

6. The right to a fair trial

The Economic and Social Council, recalling its resolution 1991/28 of 31 May 1991 and taking note of Commission on Human Rights resolutions 1991/43 of 5 March 1991 and 1992/34 of 28 February 1992, approves the endorsement by the Commission of the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1991/14 of 28 August 1991, to Mr. Stanislav Chernichenko and Mr. William Treat to continue the preparation of their study on the right to a fair trial: current recognition and measures necessary for its strengthening, and also approves the Commission's request to the Secretary-General to provide the Special Rapporteurs with all the assistance they may require in this task.

[See chap. II, sect. A, resolution 1992/34, and chap. X.]

7. Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/44 of 3 March 1992, authorizes the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to meet for ten working days prior to the forty-fourth session of the Sub-Commission, and approves the Commission's request to the Secretary-General to give all necessary assistance to the Working Group in discharging its task, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies and non-governmental and indigenous people's organizations, in order to encourage the widest possible participation in its work.

[See chap. II, sect. A, resolution 1992/44, and chap. XVII.]

8. Human rights and disability

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/48 of 3 March 1992, approves the Commission's requests to the Secretary-General: (a) to ensure better coordination among specialized agencies, the human rights bodies of the United Nations and other organs dealing with the human rights of disabled persons, and (b) to take the necessary steps to ensure that the final report on human rights and disability of the Special Rapporteur is issued as a United Nations publication in all the official languages, and transmit it to the Commission for Social Development for consideration.

[See chap. II, sect. A, resolution 1992/48, and chap. XVII.]

9. National institutions for the promotion and protection of human rights

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/54 of 3 March 1992, approves the Commission's request to the Secretary-General to publicize the proceedings of the International Workshop on National Institutions for the Promotion and Protection of Human Rights (E/CN.4/1992/43 and Add.1 and 2) and to undertake follow-up activities, to commence the planning of a follow-up international workshop in 1993, following the World Conference on Human Rights, and to submit a report on those preparations to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/54, and chap. XI.]

10. Discrimination against people infected with the human immunodeficiency virus (HIV) or with acquired immune deficiency syndrome (AIDS)

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/56 of 3 March 1992, approves the endorsement by the Commission of the requests of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to its Special Rapporteur, Mr. Luis Varela Quirós, to submit his final report to the Sub-Commission at its forty-fourth session, and to the Secretary-General to give the Special Rapporteur such assistance as he may require to accomplish his work.

[See chap. II, sect. A, resolution 1992/56, and chap. XI.]

11. Situation of human rights in Myanmar

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/58 of 3 March 1992, approves the Commission's decision to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar with a view to examining the situation of human rights in that country, and to report to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/58 and chap. XII.]

12. Situation of human rights in Cuba

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/61 of 3 March 1992, approves the Commission's request to its Chairman to designate the Special Representative appointed by the Secretary-General pursuant to its resolution 1991/68 as its Special Rapporteur to review and report on the situation of human rights in Cuba, and also approves the Commission's request to the Special Rapporteur to report to the Commission at its forty-ninth session on the results of his endeavours pursuant to its resolution 1992/61, and to submit an interim report to the General Assembly at its forty-seventh session.

[See chap. II, sect. A, resolution 1992/61, and chap. XII.]

13. Situation of human rights in El Salvador

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/62 of 3 March 1992, approves the Commission's request to the Secretary-General to appoint an independent expert to provide assistance in human rights matters to the Government of El Salvador, consider the human rights situation in the country and the effects of the Peace Agreements on the effective enjoyment of human rights, and investigate the manner in which both parties apply the recommendations contained in the final report of the Special Representative of the Commission (E/CN.4/1992/32) and those made by the United Nations Observer Mission in El Salvador and the committees established during the negotiation process, and also approves the Commission's request to the independent expert to report on the outcome of his inquiries to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/62, and chap. XII.]

14. Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/66 of 4 March 1992, approves the endorsement by the Commission of the establishment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, on an exceptional basis, of an inter-sessional working group on the rationalization of the work and the agenda of the Sub-Commission, approves the Commission's invitation to its Chairman to inform the Sub-Commission on the debate under this item, and also approves the Commission's decision to invite the Chairman of the Sub-Commission at its forty-third session to come for consultations with the members of the Bureau of the Commission at the conclusion of its forty-eighth session and the Chairman of the Sub-Commission at its forty-fourth session to report to the Commission at its forty-ninth session on the implementation, by the Sub-Commission, of the initiatives recommended in Commission resolution 1992/66.

[See chap. II, sect. A, resolution 1992/66, and chap. XVII.]

15. Situation of human rights in the Islamic Republic of Iran

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/67 of 4 March 1992, approves the Commission's decision to extend the mandate of the Special Representative for a further year, also approves the Commission's request to the Special Representative to submit an interim report to the General Assembly at its forty-seventh session on the human rights situation in the Islamic Republic of Iran and a final report to the Commission at its forty-ninth session, and further approves the Commission's request to the Secretary-General to give all necessary assistance to the Special Representative.

[See chap. II, sect. A, resolution 1992/67, and chap. XII.]

16. Situation of human rights in Afghanistan

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/68 of 4 March 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for one year and to request him to report on the situation of human rights in Afghanistan to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session and also approves the Commission's request to the Secretary-General to give all necessary assistance to the Special Rapporteur.

[See chap. II, sect. A, resolution 1992/68, and chap. XII.]

17. Situation of human rights in Iraq

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/71 of 5 March 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for a further year and its request to the Special Rapporteur to visit again the northern area of Iraq and to submit an interim report on the human rights situation in Iraq to the General Assembly at its forty-seventh session and a final report to the Commission at its forty-ninth session, and also approves the Commission's request to the Secretary-General to provide the Special Rapporteur with all the necessary assistance in performing his task.

[See chap. II, sect. A, resolution 1992/71, and chap. XII.]

18. Extrajudicial, summary or arbitrary executions

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/72 of 5 March 1992, approves the Commission's request to its Chairman, after consultations within the Bureau, to appoint an individual of recognized international standing as a special rapporteur for three years, while maintaining the annual reporting cycle, and also approves the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur.

[See chap. II, sect. A, resolution 1992/72, and chap. XII.]

19. Internally displaced persons

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/73 of 5 March 1992, approves the Commission's request to the Secretary-General to designate a representative to seek again views and information from all Governments on the human rights issues related to internally displaced persons, including an examination of existing international human rights, humanitarian and refugee law and standards and their applicability to the protection of and relief assistance to internally displaced persons.

[See chap. II, sect. A, resolution 1992/73, and chap. XI.]

20. Special Rapporteur on the sale of children, child pornography and child prostitution

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/76 of 5 March 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, while maintaining the annual reporting cycle, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur in order to enable him to report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/76, and chap. XXII.]

21. Situation of human rights in Haiti

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/77 of 5 March 1992, approves the Commission's request to its Chairman, following consultations with the Bureau, to appoint a special rapporteur with a mandate to report on the situation of human rights in Haiti and to submit an interim report to the General Assembly at its forty-seventh session and a report to the Commission at its forty-ninth session, and endorses the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the performance of his mandate.

[See chap. II, sect. A, resolution 1992/77, and chap. XIX.]

22. Assistance to Guatemala in the field of human rights

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/78 of 5 March 1992, approves the Commission's request to the Secretary-General to extend the mandate of the Independent Expert so that he may continue to examine the human rights situation in Guatemala and provide assistance to the Government in the field of human rights and submit to the Commission at its forty-ninth session a report assessing the measures taken by the Government in accordance with the recommendations made to it.

[See chap. II, sect. A, resolution 1992/78, and chap. XIX.]

23. Situation in Equatorial Guinea

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/79 of 5 March 1992, approves the Commission's request to its Chairman, following consultations with the Bureau, to appoint an individual of recognized international standing in the field of human rights, who is entirely familiar with the situation in Equatorial Guinea, as an expert of the Commission whose mandate will be to make a thorough study of the violations of human rights by the Government of Equatorial Guinea, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Expert of the Commission.

[See chap. II, sect. A, resolution 1992/79, and chap. XIX.]

24. Realization of economic, social and cultural rights

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/103 of 21 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/27 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission to Mr. Danilo Türk, Special Rapporteur on the realization of economic, social and cultural rights, to prepare his final report, and to the Secretary-General to provide the Special Rapporteur with all the assistance he may require for the successful completion of his task, and to make available to him all relevant information from sources within the United Nations system.

[See chap. II, sect. B., decision 1992/103, and chap. VII.]

25. Question of human rights and states of emergency

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/107 of 28 February 1992 and of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/18 of 28 August 1991, endorses the request of the Sub-Commission to Mr. Leandro Despouy, Special Rapporteur on human rights and states of emergency, to continue to update the list of states of emergency and to include in his annual report to the Sub-Commission and the Commission the completed draft standard provisions on emergency situations, giving special emphasis to the question of non-derogable rights, and also endorses the request to the Secretary-General to provide the Special Rapporteur with all the assistance he may require in order to enable him to carry out his work and, in particular, to respond in an effective way to information submitted to him.

[See chap. II, sect. B, decision 1992/107, and chap. X.]

26. The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/108 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/25 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission to Mr. Theo van Boven, Special Rapporteur on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, to prepare a second progress report containing additional information on and an analysis of relevant decisions and views of international human rights organs, as well as information on and an analysis of national law and practice, and to the Secretary-General to provide the Special Rapporteur with all the assistance that he requires to carry out his study.

[See chap. II, sect. B, decision 1992/108, and chap. X.]

27. Traditional practices affecting the health of women and children

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/109 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/23 of 29 August 1991, endorses the approval by the Commission of the recommendation of the Sub-Commission that the mandate of the Special Rapporteur be extended for two years so as to enable her to submit to the Sub-Commission at its forty-fifth session a plan of action for the elimination of harmful traditional practices affecting the health of women and children, and a report on the regional seminar to take place in Asia, and the Sub-Commission's recommendation that the Centre for Human Rights provide a full-time Professional staff member to follow up the question of traditional practices affecting the health of women and children and to liaise with Governments, United Nations bodies and regional commissions, non-governmental organizations and other concerned institutions, with special emphasis on gathering data from the many organizations currently working to eliminate harmful traditional practices.

[See chap. II, sect. B, decision 1992/109, and chap. XVII.]

28. Human rights and the environment

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/110 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/24 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission to Ms. Fatma Zohra Ksentini, Special Rapporteur on human rights and the environment, to prepare a progress report on human rights and the environment, and to the Secretary-General to provide the Special Rapporteur with all the assistance she requires for the preparation of her

study, as well as the necessary assistance to compile and analyse the information and documents collected.

[See chap. II, sect. B, decision 1992/110, and chap. XVII.]

29. Study on treaties, agreements and other constructive arrangements between States and indigenous populations

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/111 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities decision 1991/111 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission: (a) to Mr. Miguel Alfonso Martínez to prepare a progress report on treaties, agreements and other constructive arrangements between States and indigenous populations for submission to the Working Group on Indigenous Populations at its tenth session and the Sub-Commission at its forty-fourth session, and (b) to the Secretary-General to give the Special Rapporteur all the assistance necessary to allow him to continue his work, in particular to provide for a second study trip to the Archivo de Indias in Seville, Spain, the specialized research assistance required, as provided for in previous resolutions adopted on this matter, and the necessary trips to Geneva for consultations at the Centre for Human Rights.

[See chap. II, sect. B, decision 1992/111, and chap. XVII.]

30. Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/112 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/22 of 28 August 1991, endorses the approval by the Commission of the request of the Sub-Commission: (a) to the Secretary-General to prepare, with the cooperation of the Special Rapporteur of the Sub-Commission, the technical meeting of experts on minorities provided for in Commission resolution 1991/62 of 6 March 1991, with a view to it taking place in 1992, (b) to the Special Rapporteur to continue consultations with States, which may also include visits to countries, at the invitation of Governments, in order to gather first-hand information and to submit a progress report on his study, and (c) to the Secretary-General to give the Special Rapporteur all the assistance he may require to carry out his work successfully.

[See chap. II, sect. B, decision 1992/112, and chap. XVIII.]

31. Economic and social relations between indigenous peoples and States

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/113 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/31 of

29 August 1991, decides to request United Nations bodies and specialized agencies to ensure that all technical assistance financed or provided by them is compatible with international instruments and standards applicable to indigenous peoples, and for this purpose the Council encourages efforts to promote coordination among organizations of the United Nations system and greater participation of indigenous peoples in the planning and implementation of projects affecting them, and also encourages the regional commissions to organize meetings with representative organizations of indigenous peoples within the framework of General Assembly resolution 45/97 of 14 December 1990.

[See chap. II, sect. B, decision 1992/113, and chap. XVII.]

32. Ownership and control of the cultural property of indigenous peoples

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/114 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/32 of 29 August 1991, endorses the appointment of Ms. Erica-Irene A. Daes as Special Rapporteur of the Sub-Commission to prepare a study of measures which should be taken by the international community to strengthen respect for the cultural property of indigenous peoples, to be submitted to the Sub-Commission at its forty-fifth session in 1993, and endorses the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance she may require for the completion of this task.

[See chap. II, sect. B, decision 1992/114, and chap. XVII.]

33. Working Group on Contemporary Forms of Slavery

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/115 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/34 of 29 August 1991, endorses the approval by the Commission of the requests of the Sub-Commission to the Secretary-General: (a) to send a representative of the Centre for Human Rights to participate in a Council of Europe seminar on trafficking in persons and prostitution, at Strasbourg from 25 to 27 September 1991, and to report on the results of this seminar to the Working Group on Contemporary Forms of Slavery at its seventeenth session, (b) to reassign to the Working Group a full-time Professional staff member of the Centre for Human Rights on issues relating to contemporary forms of slavery, to prepare documentation well in advance, to facilitate the representation at the sessions of the Working Group of the largest possible number of intergovernmental and non-governmental organizations with competence in the fields examined and to report on the measures taken for this purpose to the Commission at its forty-ninth session and the Working Group at its seventeenth session, and (c) to examine the possibility of organizing the sessions of the Working Group for eight working days during the month of April or May, in order to avoid overlapping with meetings of other working groups of the Sub-Commission and the burden this places on the Centre for Human Rights,

and in view of the impossibility for representatives of Governments and non-governmental organizations to attend simultaneous sessions.

[See chap. II, sect. B, decision 1992/115, and chap. XVII.]

34. Organization of the work of the forty-ninth session of the Commission on Human Rights

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/119 of 6 March 1992, decides to authorize, if possible within existing financial resources, forty fully-serviced additional meetings, including summary records, for the Commission's forty-ninth session, and takes note of the Commission's decision to request the Chairman of the Commission at its forty-ninth session to make every effort to organize the work of the session within the time normally allotted, the additional meetings to be utilized only if they prove to be absolutely necessary.

[See chap. II, sect. B, decision 1992/119, and chap. III.]

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Agenda item 2

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

Draft decision submitted by the Acting President of the Council on the basis of informal consultations

Programme of work of the substantive session of the Economic and Social Council

A

Programme of work of the Economic and Social Council

The Economic and Social Council, having reviewed the preparations for the substantive session of the Council, decides that, as an exceptional measure and without prejudice to the content of General Assembly resolution 45/264 of 13 May 1991, the programme of work for the substantive session should be along the following lines:

29 June	Opening of the session and adoption of the agenda
30 June-2 July	Committee segment (Economic and Social Committees)
6-8 July	High-level segment
9-10 and 13-14 July	Coordination segment
15-17 July	Operational activities segment Committee segment (Social Committee)
20-24 and 27-28 July	Committee segment (Economic and Social Committees)
29-30 July	Plenary meetings
31 July	Conclusion of the work of the Council

B

High-level segment of the Economic and Social Council

The Economic and Social Council decides that:

(a) The meeting of 6 July will be reserved for statements by Ministers and other high-level representatives;

(b) The one-day policy dialogue with Executive Heads of multilateral financial and trade institutions of the United Nations system will take place on 7 July and Executive Heads will be requested to circulate the texts of their statements beforehand;

(c) Heads of delegations will be requested over the three-day period to make not more than three interventions of not longer than five minutes each, and they will be requested to circulate the texts of their main statements beforehand. A press conference or briefing session with media will be organized for heads of delegations who so desire;

(d) The high-level segment will take place in the Economic and Social Council Chamber, which is a suitable venue to allow for round-table discussions and dialogue among the participants. Throughout the segment, the President of the Council is expected to take a leading role in stimulating interaction among the participants, summarizing the discussions as they progress and initiating the successive stages of the dialogue.

C

Coordination segment

The Economic and Social Council, recalling its decision 1992/204 of 7 February 1992 on the coordination segment of the Economic and Social Council of 1992, decides that:

(a) The Bureau, with the assistance of the Secretariat, will identify a number of Executive Heads who will be specifically invited to take part in the discussion of the two themes to be considered under the segment. The President of the Council will then address a personal invitation to the Executive Heads concerned;

(b) Executive Heads will be requested to have their statements circulated beforehand;

(c) The segment will begin with précis presentations of the statements of the Executive Heads of specialized agencies and United Nations organs most concerned with the subject-matter; their remarks will focus on the theme at hand;

(d) Executive Heads will be encouraged to identify coordination problems in the course of their interventions, including problems created by a lack of adequate coordination within Governments at the national level;

(e) Without prejudice to the rights of all States to participate in the discussion, the regional and interest groups represented on the Council will be encouraged to select from among their number "discussion leaders" to undertake the necessary research work on the themes under discussion;

(f) The segment will conclude with recommendations to the organizations of the United Nations system relating to the two themes under discussion.

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ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

Draft decision submitted by the Vice-President of the Council, Mr. Jose Lino B. Guerrero (Philippines), on the basis of informal consultations

Establishment of new subsidiary bodies of the Council

The Economic and Social Council, recalling General Assembly resolution 46/235 of 13 April 1992 on the restructuring and revitalization of the United Nations in the economic, social and related fields, decides:

(a) To abolish its Committee on Natural Resources;

(b) To establish a functional Commission on Science and Technology for Development, a Committee on Natural Resources, and a Committee on New and Renewable Sources of Energy and on Energy for Development, in accordance with General Assembly resolution 46/235;

(c) To request the Secretary-General to submit for approval of the Council at its substantive session of 1992 the consolidated mandates of the new subsidiary bodies, in accordance with the provisions of General Assembly resolution 46/235;

(d) To hold elections for the membership of the bodies mentioned above at its substantive session of 1992 as an exceptional measure;

(e) To request the Secretary-General to submit draft provisional agendas for the Commission on Science and Technology for Development and the Committee on Natural Resources for consideration at its substantive session of 1992;

(f) That the Commission on Science and Technology for Development shall hold its first session from 12 to 23 April 1993 and the Committee on Natural Resources shall hold its first session from 22 March to 2 April 1993.

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ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

Draft decision submitted by the Vice-President of the Council, Mr. Jose Lino B. Guerrero (Philippines), on the basis of informal consultations

Reconvening of the resumed organizational session of the Council

1. The Economic and Social Council, at its resumed organizational session of 1992, in the spirit of the restructuring and revitalization of the United Nations in the economic, social and related fields, as provided in General Assembly resolutions 45/264 of 13 May 1991 and 46/235 of 13 April 1992, and in response to the request of the Commission on Human Rights contained in its decision 1992/117 of 5 March 1992, decides to reconvene, as an exceptional measure and without prejudice to the contents of General Assembly resolution 45/264, its resumed organizational session in the first week of June to assure the continued, timely and efficient functioning of its subsidiary bodies.

2. The resumed organizational session will consider and decide on provisional administrative measures related to the mandates adopted by the Commission on Human Rights at its forty-eighth session on a temporary basis and until a formal decision on those mandates is taken by the Council at its substantive session, it being understood that the provisional administrative measures should not be construed or interpreted as a confirmation of the mandates which can only be done by the Council after a substantive discussion.

3. The Council stresses that this decision is taken on the clear understanding that it responds to the requirement of an exceptional situation resulting from the reorganization of its work. It is thus understood that

this decision should by no means constitute a precedent and that it is the intention of the Council to ensure that in the future administrative arrangements for the implementation of activities relating to Council mandates must be initiated after and on the basis of substantive consideration and express approval of each specific mandate by the Council. It is agreed that the need for strictly observing that practice will be a paramount concern in all future organization of the work of the Council and of its subsidiary bodies, in accordance with General Assembly resolution 45/264.

4. Provisional administrative arrangements decided upon by the Council at the resumed organizational session to facilitate the activities of special rapporteurs/representatives and working groups will be automatically terminated if their corresponding mandates are not confirmed by the Council at its substantive session of 1992.

5. The resumed organizational session will also consider and decide on the regional allocation of seats in the three subsidiary bodies which the Council is requested by the General Assembly in its resolution 46/235 to establish - namely, the Commission on Science and Technology for Development, the Committee on Natural Resources and the Committee on New and Renewable Sources of Energy and on Energy for Development.

6. Nothing contained in the present decision can be considered in any way to prejudge or determine the substantive discussion of human rights, including the questions of mandates, to be held at the substantive session of the Council.

7. The resumed organizational session in June may consider, as well, subjects referred to it by other subsidiary bodies of the Council which may merit urgent consideration.